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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,877	12/05/2000	Knut Bakke	28170-00011USP1	9349
27045	7590	12/28/2004	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			TRAN, THIEN D	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/730,877	<b>Applicant(s)</b> BAKKE ET AL.	
	<b>Examiner</b> Thien D Tran	<b>Art Unit</b> 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-13 and 15-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-13 and 15-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-10, 12, 13, 15-21, 23-26 are rejected under 35 U.S.C. 102(b) as being participated by WO 98/32303.

Regarding claims 1, WO 98/32303 discloses a method for handing over of a connection from a first serving GPRS support node (SGSN) to a second SGSN in response to an inter SGSN routing area update the method comprising the steps of:

establishing a leg for retrieval of MM and PDP contexts (temporary leg) between the first SGSN and the second SGSN, figure 3;

responsive to the connection entering a standby state, col.5 lines 8-16, operating the old SGSN as a temporary anchor in response to the inter SGSN routing area update, figure 3;

finishing up routing area update requests (ongoing transactions) prior to moving context from the first SGSN to the second SGSN, col.12 line 30 to col.13 line 5; and

redirecting packet transmission and control signaling to and from the new second SGSN via the old first SGSN while the old SGSN is operating until the as the temporary anchor, figure 3.

Regarding claims 2, 13, WO 98/32303 discloses the step of initiating the inter SGSN routing area update in response to a mobile station moving from a old SGSN service area associated with the old SGSN to a new SGSN service area associated with the New SGSN, col.12 lines 20-30.

Regarding claims 4, 15, WO 98/32303 discloses the step of redirecting further comprises the step of redirecting the signaling traffic from the old SGSN to the new SGSN via the temporary leg, figure 3.

Regarding claims 5, 16, WO 98/32303 discloses the step of establishing the temporary leg comprises the step of establishing a GB channel for the update routing context or URC accept between the old SGSN and the new SGSN, col.2 lines 20-30.

Regarding claims 6, 17, WO 98/32303 discloses the step of transferring connection control from the old SGSN to the new SGSN in response to the connection being maintained by the first old SGSN entering an a standby state, col.5 lines 8-16.

Regarding claims 7, 18, WO 98/32303 discloses the step of transferring further comprises the step of performing the inter SGSN routing area update between a Gateway GPRS support node (GGSN) and the second SGSN, figure 3.

Regarding claims 8, 19, WO 98/32303 discloses the step of transferring connection control is performed using LLC – layer 2 (without interrupting layer 3) procedures and data transmission, col.3 lines 20-27.

Regarding claims 9, 20, WO 98/32303 discloses the step of releasing the connection of the old SGSN (temporary leg) in response to completion of the transfer of connection control from the old SGSN to the new SGSN, figure 3.

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Regarding claims 10, 21, WO 98/32303 discloses the step of communicating subsequent signaling traffic directly between a Gateway GPRS support node (GGSN) and the new SGSN without redirecting the subsequent signaling traffic via the old SGSN, the subsequent signaling traffic occurring after the release of the temporary leg, col.8 lines 30-35, figure 3.

Regarding claim 12, WO 98/32303 discloses system for handing over of a connection between at least two GPRS nodes in response to an inter SGSN routing area update, the system comprising:

a first (old) SGSN operating as a temporary anchor in response to the inter SGSN routing area update, wherein the first SGSN, in response to the connection entering a standby state, col.5 lines 8-16, allows ongoing transaction to finish up prior to moving context from the first SGSN, figure 3; and

a second (new) SGSN in communication with the first SGSN, the first SGSN redirecting signaling to and from the second SGSN via the first SGSN while the SGSN is operating as the temporary anchor, col.8 lines 30-35, col.13 lines 5-15, figure 3.

Regarding claim 23, WO 98/32303 discloses a method for handing over of a connection between GPRS support nodes (SGSN), the method comprising the steps of receiving a routing update;

forming a temporary leg between an old and a new SGSN after receiving the routing update, figure 3;

responsive to the connection entering a standby state, col.5 lines 8-16, operating the old SGSN as a temporary anchor in response to an inter-SGSN routing area update, figure 3;

finishing up ongoing transaction prior to moving context from the old SGSN to the new SGSN, col.12 line 30 to col.13 line 5; and

redirecting packet transmission and control signaling traffic across the temporary leg, figure 3.

Regarding claims 24, 25, WO 98/32303 discloses releasing connection associated with the old SGSN (the temporary leg); and communicating subsequent payload traffic between a GPRS and and the new SGSN, figure 3.

Regarding claim 26, WO 98/32303 discloses communicating a context forward message from the old SGSN (SGSN) to the new SGSN; receiving a context forward acknowledgment from the new SGSN; and releasing the temporary leg after receiving the context forward acknowledgment, figure 3.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 98/32303 in the view of Nevo et al (U.S Patent No. 6,320,873 B1).

Regarding claim 11, 22, WO 98/32303 does not disclose the steps of allowing subscriber charge transactions to be completed towards a billing gateway before performing the step of transferring connection control to the new SGSN. Nevo discloses the step used for calculating bills and charges toward a MS (subscriber) in the GSM system having SGSN nodes, col.8 lines 50-60. Therefore, it would have been obvious to one having ordinary skill in the art to include the feature of billing to charge for network enhancement's cost in the system of WO 98/32303 so that the network can provide services for users with expensive equipments and resources.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Thien Tran



STEVEN NGUYEN  
PRIMARY EXAMINER